

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Social Services	(2) MEETING DATE 10/18/2016	(3) CONTACT/PHONE Tammy Aguilera - 781-1838 Michael Coughlin - 781-1908	
(4) SUBJECT Request to approve updated bylaws for the Workforce Development Board of San Luis Obispo County. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board approve the updated bylaws for the Workforce Development Board (WDB) under the Workforce Innovation and Opportunity Act (WIOA) of 2014.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____ ) <input type="checkbox"/> Board Business (Time Est. ____ )			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A    Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Morgan Torell			
(18) SUPERVISOR DISTRICT(S) All Districts			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Social Services / Tammy Aguilera - 781-1838  
Michael Coughlin - 781-1908

DATE: 10/18/2016

SUBJECT: Request to approve updated bylaws for the Workforce Development Board of San Luis Obispo County.  
All Districts.

## **RECOMMENDATION**

It is recommended that the Board approve the updated bylaws for the Workforce Development Board (WDB) under the Workforce Innovation and Opportunity Act (WIOA) of 2014.

## **DISCUSSION**

### **Background**

On March 11, 2008, your Board designated the Department of Social Services (DSS) as the Administrative Entity and Fiscal Agent for the local workforce investment area under the Workforce Investment Act (WIA). In 2014, the WIA regulations were replaced with a new set of regulations, the Workforce Investment and Opportunity Act (WIOA). As the Administrative Entity and Fiscal Agent, DSS receives WIOA funds directly from the State, distributes funds to program providers and provides administrative and fiscal support and oversight of WIOA programs and operations. In its capacity as the Administrative Entity, DSS is submitting updated bylaws (Attachment 1) for your Board's approval.

### **Workforce Development Board Bylaws**

On September 22, 2015, your Board approved the composition of the Workforce Development Board (WDB) and WDB bylaws (Attachment 2) in compliance with the WIOA. The Notice of Proposed Rulemaking (NPRM) issued in Federal Register Vol. 80, No. 73 on April 16, 2015 and the subsequent Final Rule issued in Federal Register Vol. 81, No. 161 on August 19, 2016 further define the requirements and items to be addressed in bylaws for a local WDB.

To comply with the requirements, the bylaws have been updated to include the requirement for development and submittal of a regional plan (to be completed by 2017), revised WDB composition to reflect minimum requirements while allowing maximum flexibility, added language regarding quorum, proxy and adjournment of meetings and established a Services and Strategies committee to ensure individuals with barriers to employment are represented.

### **Regional Plan**

WIOA calls for regional coordination and identifies the need for a regional plan to assist with the development of regional service strategies and sector initiatives for in-demand industry sectors; collection and analysis of regional labor market data; when appropriate -administration cost arrangements and coordination of supportive services; coordination of services with regional economic development services; and agreement on collective negotiation process for local levels of performance. The regional planning unit for the Central Coast includes the Workforce Development Boards for San Luis Obispo, Monterey, Santa Cruz and Santa Barbara. The regional plan will also provide the framework for the local plan,

allowing regional collaborations, but also ensures needs of the local labor market are met. The regional and local plans are in development and will be brought to your Board for approval by April of 2017.

## **Membership**

The updated bylaws designate twenty-one (21) Board members, a decrease of four (4) members from the previous bylaws. The number of members may vary depending on the local area, but in most cases a minimum of nineteen (19) members are required to ensure all the appropriate categories are represented. The decrease in seats is due to the elimination of one (1) vacant economic development agency seat, one (1) vacant seat for the Small Business Development Center and two (2) vacant business seats. Economic Development will retain one seat, currently filled by a representative of the Economic Vitality Corporation. Small business is included in the business representative category and does not require a separate category. The elimination of two (2) business seats is in relation to the decrease of seats in the other categories due to the need to maintain a majority of business representation on the Board. Eleven of the 21 seats are for business representatives, as shown below. The changes will not result in the elimination of any board members and will comply with guidelines defined by WIOA.

The structure of the WDB will be:

- A majority of members must be business representatives - Eleven (11) members, including:
  - Two (2) business members must represent small business.
- 1 – Representative of Adult Education/Literacy under WIOA Title II
- 1 – Representative of Higher Education
- 5 – Workforce Representatives (20% of WDB)
  - Includes 2 minimum representatives of labor organizations
  - Includes 1 minimum representative of joint labor-management or union apprenticeship program
  - At least fifteen percent (15%) of the Workforce Representatives category must be from labor organizations unless labor fails to nominate enough members. If that occurs, ten percent (10%) may be labor representatives.
- 1 – Representative of Economic Development
- 1 – Representative of Wagner-Peyser (CA Employment Development Department)
- 1 – Representative Rehabilitation Act (CA Department of Rehabilitation)

## **Committees**

Although committees are not mandated under WIOA; the WDB and Administrative Entity see value in the work conducted by committee and are recommending three (3) committees in the revised bylaws. Two of the committees exist under the current structure, the Executive Committee and Business Council. The Executive Committee is authorized to act with full power and responsibility of the full WDB when the WDB is not in session. The Executive Committee consists of the WDB Chair and Vice Chairpersons and five (5) additional board members, three (3) of whom must be business sector representatives. The Business Council includes members from the Board of Directors in addition to individuals who represent leading industries and employers in the economy, with responsibility to make recommendations for the Business Service Plan.

The WDB and Administrative Entity see a need to retain a committee to focus on youth as well as provide a forum to focus on persons with disabilities. To ensure increased participation by committee members, a single committee, the Services and Strategies Committee will provide the opportunity for interested parties to consider services and issues that affect all individuals with barriers. This committee will represent both youth and individuals with disabilities, in addition to other individuals who experience barriers to employment or difficulty in accessing employment and training services.

The Services and Strategies Committee will be chaired by a member of the WDB and will include both WDB board and non-board members who have knowledge of or provide services to individuals with barriers including but not limited to: veterans, individuals with disabilities and WIOA eligible youth.

The bylaws address the following areas:

- Article I: Background, Name, and Definitions – statutory authority and terms.
- Article II: Purpose and Function- mission and purpose.
- Article III: Board of Directors – representatives, terms, meetings, and attendance.
- Article IV: Committees – formation, membership, and purpose.
- Article V: Staffing and Support- support staff and program administration.
- Article VI: Conflict of Interest- voting restrictions and disclosure obligations.
- Article VII: Miscellaneous – effective dates and amendments.

#### **OTHER AGENCY INVOLVEMENT/IMPACT**

The San Luis Obispo County Workforce Development Board (WDB) approved the bylaws and membership changes at its August 5, 2016 meeting. County Counsel approved the bylaws for form and legal effect.

#### **FINANCIAL CONSIDERATIONS**

This item has no impact on the County's General Fund as WIOA programs are fully financed by federal funding.

#### **RESULTS**

Approval of the updated bylaws will allow the WDB to fulfill State mandates for oversight of the local workforce development system. The WDB supports the countywide goal of a prosperous community through its actions and recommendations.

#### **ATTACHMENTS**

1. Attachment 1 Proposed Workforce Development Board Bylaws
2. Attachment 2 Previous WDB Bylaws 8-15 For Reference Only